

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LIMETREE BAY TERMINALS, LLC d/b/a
OCEAN POINT TERMINALS,

Petitioner,

v.

UNIPEC AMERICA, INC.,

Respondent.

**DECLARATION OF DOMINIC PODY IN SUPPORT OF PETITION TO CONFIRM
ARBITRATION AWARD AND SUPPORTING MEMORANDUM OF LAW**

I. Dominic Pody, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a member of the bar of the State of New York and am admitted to practice in the Southern District of New York. I am an associate at Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Petitioner Limetree Bay Terminals, LLC d/b/a Ocean Point Terminals (“OPT”). I make this declaration in support of the Petition to Confirm Arbitration Award and Supporting Memorandum of Law (the “Petition”) in order to certify the attached documents as true, accurate, and complete copies of the referenced documents.

2. Attached as Exhibit A is a true and correct copy of an excerpt of a Terminal Lease Agreement dated as of November 17, 2015 by and between Freepoint Commodities LLC and Unipeac America, Inc., reflecting an agreement to arbitrate at Section 5.9 of Schedule A thereof.

3. Attached as Exhibit B is a true and correct copy of a Final Award issued on September 14, 2022 by a Tribunal convened under the auspices of the American Arbitration


Association (“AAA”)/International Centre for Dispute Resolution (“ICDR”) in ICDR Case No. 01-20-0014-7261 (the “Arbitration”).

4. Attached as Exhibit C is a true and correct copy of a letter from the AAA/ICDR dated November 3, 2020 appointing Diana Marshall and James Hosking as Arbitrators and Tribunal members in the Arbitration.

5. Attached as Exhibit D is a true and correct copy of a letter from the AAA/ICDR dated February 2, 2021 appointing James Carter as Arbitrator and Chairperson of the Tribunal in the Arbitration.

6. Attached as Exhibit E is a true and correct copy of an email thread reflecting each written extension of the time within which to make the Award in the Arbitration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on this 23rd day of September, 2022, at New York, New York.



Dominic Pody